

Message Text

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ACTION OES-05

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 0429

USERDA GERMANTOWN

UNCLAS TOKYO 7016

ERDA PASS TO NRC, J. LAFLEUR

E.O. 11652: N/A

TAGS: TECH, JA

SUBJECT: APRIL 26 NRC RELEASE

REF: TOKYO 6886 23 MAY 75

1. FOLLOWING IS TEXT OF LETTER TO ERDA TOKYO SCIREP FROM YOSHIOKA, MANAGING DIRECTOR JAPCO REFERRED TO IN REFTEL. QUOTE. REFERENCE IS MADE TO THE INTERPRETATION YOU KINDLY CLARIFIED THIS TIME FOR YOUR US NUCLEAR REGULATORY COMMISSION ON ITS NEWLY PROPOSED REGULATION 10 CFR PART 21 PARTICULARLY WITH RESPECT TO THE COMMISSION'S APRIL 26 PRESS RELEASE MADE IN WASHINGTON, D.C. ON AN IN-CORE MONITOR TUBE CRACKING AT A NUCLEAR GENERATING STATION HERE IN JAPAN. PARA. AS WE HAVE ALREADY EXPRESSED TO YOU VERBALLY AT OUR TALK ON MAY 22, WE, THE JAPAN ATOMIC POWER COMPANY ARE VERY MUCH CONCERNED FOR THOSE IMPLICATIONS NOW DEVELOPING BETWEEN YOUR COMMISSION'S NEW PROCEDURES FOR PUBLIC INFORMATION IN THE UNITED STATES AND OUR CURRENT PRACTICE FOR THE SAME IN JAPAN. FOR INSTANCE, THE ABOVE-REFERRED COMMISSION'S PRESS RELEASE TOOK PLACE IN WASHINGTON, D.C. WHILE ALL PLANNED ACTIONS IN TOKYO WERE STILL IN PROGRESS BUT NOT YET COMPLETED. SHOULD THIS SORT OF EVENTS HAPPEN REPEATEDLY, WE, AS THE OWNER-OPERATOR OF THE GENERAL ELECTRIC SUPPLIED BWR PLANTS, FEEL STRONGLY THAT WE WOULD BE EXPOSED TO VERY SERIOUS DIFFICULTIES UNCLASSIFIED

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IN MAINTAINING NECESSARY PUBLIC RELATIONS FOR THE CONDUCT OF OUR NUCLEAR PROGRAMS. PARA.

WE WISH ACCORDINGLY TO MAKE THE FOLLOWING COMMENTS WITH THE

INTENT TO BRING THESE EFFECTS TO YOUR COMMISSION'S ATTENTION
AND FOR ITS CONSIDERATION AS WKZL. SUBHARA.

1. WE UNDERSTAND THAT THERE EXIST, IN THE UNITED STATES,
CERTAIN NEEDS AND STATUTORY REQUIREMENTS FOR THE COMMISSION OF
MORE IMPROVED PROCEDURES FOR PUBLIC INFORMATION, AND THE COM-
MISSION'S PLANNING THOSE NEW REGULATIONS ACCORDINGLY. WE
SHALL BE WILLING TO COOPERATE AS MUCH AS POSSIBLE TOWARD THE
COMMISSION'S POLICY AS LONG AS IT DOES NOT INFRINGE OUR
INTERESTS. SUBPARA.

2. ALONG WITH THIS LINE, WE SHOULD FIRST LIKE TO INVITE
THE COMMISSION'S ATTENTION TO THE FACT THAT THERE ARE, IN JAPAN,
CERTAIN PRACTICE AND PROCEDURES FOR PUBLIC INFORMATION TRADI-
TIONALLY DEVELOPED TO COPE WITH THE PECULIAR CHARACTERISTICS OF
THE GENERAL PUBLIC'S ATTITUDE TOWARD NUCLEAR POWER. THOSE ARE
OF TECHNICALLY DIFFERENT STEPS COMPARED WITH THE COMMISSION'S
NEW PROCEDURES, BUT IT IS VERY MUCH ESSENTIAL, IN ORDER TO
PREVENT UNNECESSARY PUBLIC REACTIONS IN THIS COUNTRY, THAT
THESE STEPS BE TAKEN ORDERLY. BEFORE MAKING AN ABNORMAL
OCCURRENCE INFORMATION PUBLIC, WE THOROUGHLY INVESTIGATE THE
CIRCUMSTANCES, FULLY DISCUSS IT BETWEEN THE REGULATORY AGENCIES,
UTILITY COMPANIES, AND REACTOR VENDOR, AND DECIDE WHAT TO DO
NEXT. A RELEASE OF INFORMATION BEFORE THIS PROCESS IS COM-
PLETED MAY LARGELY LEAD TO IRRECOVERABLE PUBLIC REACTIONS.
SUBPARA. THIS WILL THEN CALL FOR WELL-COORDINATED PUBLIC
INFORMATION HANDLING, INCLUDING PRESS RELEASES, NOT ONLY WITHIN
OUR COUNTRY BUT ALSO BETWEEN THE UNITED STATES AND JAPAN, AND
WE MUST RETAIN, IN THIS CONNECTION, A REASONABLE DEGREE OF
CONTROL OVER THOSE INFORMATION ON OUR NUCLEAR GENERATING
STATIONS. SUBPARA.

3. FROM THE SAME POINT OF VIEW, WE HAVE ALSO CONCERNS
ABOUT THE GENERAL ELECTRIC COMPANY'S POSITION UNDER THE COM-
MISSION'S NEW REGULATIONS BECAUSE THEY HAVE ENGAGED IN CERTAIN
AGREEMENTS WITH US OF INFORMATION EXCHANGE FOR NEEDED TECHNICAL
SERVICES TO THE ABOVE-REFERRED BWR PLANTS OF OUR OWN, AND ARE
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ACCORDINGLY PROVIDED, UNDER THOSE AGREEMENTS, WITH CERTAIN
ACCESS TO OUR PROPRIETARY INFORMATION. IT SHOULD BE NOTED IN
THIS CONNECTION THAT THEY ARE RESTRAINED, UNDER THE SAME
AGREEMENTS, FROM OTHER USES OF OUR INFORMATION WITHOUT OUR
CONSENT, THAN THOSE INTENDED IN THE AGREEMENTS AND WE CAN
HARDLY AGREE FOR SUCH OTHER USES OF THE INFORMATION UNLESS
REASONABLE ASSURANCES ARE PROVIDED FOR NEEDED CONTROL OVER
THE INFORMATION. SUBPARA. IN THE VIEW OF THESE COMPLE
RESPONSIBILITY-REQUIREMENT RELATIONSHIPS, WE SHOULD THINK,
WITH THE WISH TO PREVENT POSSIBLE FUTURE CONFUSIONS, THAT THE
COMMISSION SHOULD, IN THE APPLICATION OF ITS REGULATIONS,
EXCLUDE THE GENERAL ELECTRIC COMPANY FROM THOSE REPORTING
REQUIREMENTS UNDER THE NEW REGULATION SO FAR AS FOREIGN NUCLEAR

FACILITIES ARE CONCERNED, AT LEAST FOR THOSE AREAS OF THE INFORMATION WHERE CONSENT OF THE PLANT OWNER HAS NOT BEEN OBTAINED. PARA.

4. IT MAY ALSO BE ADVISABLE THAT THE COMMISSION WILL, SO FAR AS INFORMATION ON OUR NUCLEAR GENERATING STATIONS IN JAPAN IS CONCERNED, RELEASE IT TO THE PUBLIC IN THE UNITED STATES ONLY UPON A CONSULTATION WITH THE GOVERNMENT OF JAPAN FOR EACH CASE WHEN SUCH A RELEASE IS SOUGHT. THE COMMISSION MAY, IN THIS WAY, BE ABLE TO CROSS-CHECK ITS PLANNED PUBLIC RELEASE OF THE INFORMATION IN THE UNITED STATES AGAINST THE STATUS OF ONGOING ACTIONS BEING TAKEN IN JAPAN. SUBPARA. THIS PROCEDURE MAY ALSO BE QUITE ESSENTIAL AS A COUNTER-MEASURE IN SUCH A CASE AS THE COMMISSION SHOULD FIND LEGAL IMPLICATIONS AND DIFFICULTIES IN THE UNITED STATES IN EXCLUDING THE GENERAL ELECTRIC COMPANY FROM THE REPORTING REQUIREMENTS SUGGESTED IN PARAGRAPH 3 ABOVE. PARA.

ALL THE ABOVE ARE THOSE COMMENTS CONCLUDED FROM OUR EXPRESSED INTENTION FOR A FULL COOPERATION TOWARD YOUR COMMISSION FOR A NEW

POLICY, AND WE ARE SINCERELY WISHING THAT THE COMMISSION MAY BE ABLE TO FIND A PROPER WAY TO COPE WITH THESE POINTS DISCUSSED ABOVE. IT MAY, OTHERWISE, TURN OUT TO BE NECESSARY FOR US TO RECONSIDER THE ABOVE-REFERRED EXISTING AGREEMENTS BETWEEN THE GENERAL ELECTRIC COMPANY AND THE JAPAN ATOMIC POWER COMPANY IN SUCH A WAY AS TO LIMIT THE CURRENT FLOW OF INFORMATION BETWEEN OUR TWO COMPANIES. PARA.

WE TRUST THAT THE ABOVE-STATED ARE REASONABLE POSITIONS. YOU
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MAY ALSO NOTE THAT THE DISCUSSIONS HERE ARE FOCUSED ONLY ON THOSE AREAS OF IMMEDIATE DIFFICULTIES UPON OURSELVES RESULTING FROM THE SUBJECT COMMISSION'S PROPOSED REGULATIONS. PARA. WE WILL CERTAINLY APPRECIATE ANY CONSIDERATIONS THE COMMISSION MAY BE ABLE TO GIVE ON THIS MATTER, AS WELL AS COMMENTS THEY WISH TO MAKE. END QUOTE.

2. REQUEST NRC RESPONSE, COMMENTS OR DIRECTION.
HODGSON

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<< END OF DOCUMENT >>

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